

ENTERED

September 17, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONKERRY DIMART ALLEN,
Petitioner,

VS.

BOBBY LUMPKIN
Director, Texas Department of
Criminal Justice, Correctional
Institutions Division,
Respondent.§
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CIVIL ACTION NO. H-11-1676

ORDER

On July 2, 2021, this Court removed Petitioner Kerry Dimart Allen's former attorney from representation in this case. (Docket Entry No. 51). Allen is entitled to counsel under 18 U.S.C. § 3599(a)(2). The Capital Habeas Unit within the Office of the Federal Public Defender for the Western District of Texas has informed the Court that it can provide representation and ancillary services to Petitioner, both in any subsequent federal judicial proceedings and in any state clemency action. (Docket Entry No. 52).

Accordingly, it is **ORDERED** that **Tivon Schardl, Capital Habeas Unit Chief, 919 Congress Avenue, Suite 950, Austin, Texas, 78701**, is appointed as counsel for Petitioner. Counsel shall enter an appearance in this matter as soon as practicable.

The Clerk will provide copies of this Order to the parties and to Kerry Dimart Allen, #999386, Polunsky Unit, 3872 FM 350 S., Livingston, TX 77351.

Signed at Houston, Texas, on Sept. 16, 2021.



VANESSA D. GILMORE